

REMARKS

Claims 1-54 were pending. Claims 1, 6, 8, 11-16, 18-20, 24-28, 31-33, 36, 39-42, 45, 47, 50-52 have been amended to further clarify the nature of the invention. Accordingly, claims 1-54 remain pending.

35 U.S.C. § 112 Rejections

In the present Office Action, claims 1-54 stand rejection under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. In particular, the examiner objected to the recitation generally directed to automatically presenting the second perspective to the viewer at the particular point in time. In response, Applicant has amended the claims to clarify the nature of the invention and the rejections are believed overcome. For example, as amended, claim 1 recites a method which includes:

“providing input from a viewer which indicates a desire to replay the portion of the program from a second perspective of the plurality of perspectives; identifying in the first perspective a first point in time in the program which corresponds to the beginning of said portion, responsive to the input; automatically determining a second point in time in the second perspective, wherein the second point in time comprises an approximation of the first point in time in the program; and presenting the portion of the program from the second perspective to the viewer beginning at the second point in time.”

As seen from the above, claim 1 now recites automatically determining a second point in time in the second perspective which comprises an approximation of the first point in time. Applicant submits these, and the remainder of the features, are both fully supported and enabled by the description. For example, at least paragraphs 54-58 of the Description both support and enable the above recited features. Each of independent claims 15, 20, 31, and 45 have been amended in a similar manner. Accordingly, the 35 U.S.C. § 112 rejections are believed overcome.

35 U.S.C. § 103 Rejections

In the present Office Action, claims 1-54 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,600,368 (hereinafter “Matthews”) in view of International Publication WO 92/22983 (hereinafter “Browne”), and further in view of newly cited reference U.S. Patent No. 6,704,790 (hereinafter “Gopalkrishnan”). Applicant has reviewed each of the references, including the newly cited reference Gopalkrishnan. Applicant traverses these rejections and respectfully requests reconsideration.

Newly amended claim 1 recites a number of features which are neither taught nor suggested by the cited art, either singly or in combination. As amended, claim 1 recites a method for processing broadcasts which includes:

“receiving a broadcast of a program, the broadcast containing a plurality of perspectives of the program;
presenting a first perspective of the plurality of perspectives to a viewer, said first perspective comprising a first perspective of a portion of the program;
storing at least one of the plurality of perspectives;
providing input from a viewer which indicates a desire to replay the portion of the program from a second perspective of the plurality of perspectives;
identifying in the first perspective a first point in time in the program which corresponds to the beginning of said portion, responsive to the input;
automatically determining a second point in time in the second perspective,
wherein the second point in time comprises an approximation of the first point in time in the program; and
presenting the portion of the program from the second perspective to the viewer beginning at the second point in time.” (emphasis added).

Applicant submits at least the above highlighted features are neither disclosed nor suggested by the cited art, either singly or in combination.

In the present Office Action, a new ground of rejection was proffered vis-à-vis the prior claims including newly cited reference Gopalkrishnan. Generally speaking, Gopalkrishnan was offered in relation to the “automatically presenting” feature of prior

claim 1. However, Applicant submits the pending claims are readily distinguished from the cited art.

Generally speaking, Gopalkrishnan is directed to server-side stream switching, and in particular HTTP server-side stream switching. Gopalkrishnan concerns the streaming of multimedia clips via the Internet and notes that in the HyperText Transport Protocol (HTTP) a server is typically only able to respond to simple get stream requests and process requests serially. Consequently, the server must wait until a given stream is finished, receive another get stream request, and then send the new stream. Gopalkrishnan then seeks to address this problem by disclosing a system wherein the server sends two streams of data via HTTP formatted packets. The server can then include a predetermined switching designator following the first stream which causes a client to switch to the second stream. For example,

“The server 200 also sends a switching packet 222 to indicate to the client 202 receiving the packet 222 that the server 200 is switching from a first data stream to a second data stream, namely, from stream 206 to stream 208. The switching packet 222 includes a predetermined switching designator to indicate that data streams are being switched. The switching packet is what provides embodiments of the invention the capability of server-side stream switching. The packet is sent by the server, and received by the client.” (Gopalkrishnan, col. 5, line 63 – col. 6, line 4).

As is believed apparent, the system of Gopalkrishnan is directed to an entirely different problem than that of the presently claimed invention and is readily distinguished. It is first noted that claim 1 recites “providing input from a viewer which indicates a desire to replay the portion of the program from a second perspective of the plurality of perspectives.” In contrast, Gopalkrishnan discloses server-side stream switching by conveying a switching packet from the server to the client. In the case of Gopalkrishnan, the server side decides if and when a stream may be switched. Applicant believes the reference is distinguished for at least this reason.

In addition to the above, whereas prior claim 1 recited “wherein the second perspective is automatically presented beginning at the particular point in time”, claim 1 as amended recites:

“providing input from a viewer which indicates a desire to replay the portion of the program from a second perspective of the plurality of perspectives; identifying in the first perspective a first point in time in the program which corresponds to the beginning of said portion, responsive to the input; automatically determining a second point in time in the second perspective, wherein the second point in time comprises an approximation of the first point in time in the program.”

These features regarding the viewer input indicating a desire to replay a portion of the program from a different perspective, identifying a point in time in the program responsive to the input, and automatically determining a second point in time which approximates the first point in time are wholly absent from Gopalkrishnan and the remaining cited art. As noted by the examiner in paragraph 6 of the Office Action, Gopalkrishnan merely discloses a system which allows stringing together video segments as dictated by the server.

As to the remaining art, in the present Office Action the examiner acknowledges that Matthews does not teach the feature “storing at least one of the plurality of perspectives” and cites Browne as teaching this feature. Generally speaking, Browne teaches a recorder player which can record from multiple input sources. However, apart from the neural network analysis circuit 114 and common interface in Browne, the mechanism taught by Browne is largely a simple conglomeration of multiple recording devices. In effect, Browne has merely packed multiple recording devices into a device and added a common interface. For example, note the following selected teachings of Browne concerning the perceived problem and solution:

“Currently, television viewers for the most part have little flexibility with regard to when broadcast programming may be viewed. . . . The video cassette recorder (VCR) is the only device which allows a user to control the recording of programs and the time of viewing programs, by replaying recorded programs. . . . However, current VCRs have limited storage

capacity and only single source capability and therefore do not provide the user with a great degree of flexibility and control over program recording. . . . Furthermore, a conventional VCR can only record one program at a time, while a typical household can receive many programs from multiple sources simultaneously. It is therefore an object of the present invention to provide large capacity multiple source recording with random access, . . .” (Browne, pages 1-2).

“In a preferred embodiment of the present invention, . . . input demodulator section 113 includes a plurality of input demodulators 113a-113g. . . . The input demodulators 113a-113g are preferably chosen to receive signals from one or more of the following: a VHF antenna input, an FM antenna input, an AM antenna input, a cable television input, a Direct Broadcast Satellite input, a digital signal input, and an audio and video direct input. . . .

Input signals 101a-101g are demodulated separately by each of the plurality of demodulators 113a-113g. After demodulation by input demodulators 113a-113g, the audio and video signals are separately converted to digital signals by analog to digital (a/d) conversion section 102. Conversion section 102 preferably comprises a plurality of a/d converters 102a-102f. In the preferred embodiment shown in Fig. 1, input signals 101a- 101f are analog signals. Therefore, there is one a/d converter 102a-102f for each simultaneously viewable and recordable analog input signal 101a-101f.” (Browne, pages 9-10).

“The stored program list contains a index of programs stored in storage section 104, and held in the memory of the controller 105. The controller 105 can thereby address a desired program and output it to decompression section 106.” (Browne, page 14, lines 5-7).

Consequently, Browne merely teaches the ability to record programs and retrieve recorded programs. Therefore, even assuming one would be motivated to make the combination, the combination of Matthews, Browne, and Gopalkrishnan may merely produce a system in which multiple video streams including different perspectives are broadcast and recorded by a device. The broadcaster may then include a predetermined switching designator in a stream which forces a viewer’s television to switch to a different video stream than one currently being received. Such a hypothetical system is vastly different than that presently claimed. For example, claim 1 recites presenting a first perspective of a portion of a program and receiving viewer input indicating a desire to replay that portion from a different perspective. None of the cited art discloses these

features. Claim 1 further recites “identifying in the first perspective a first point in time in the program which corresponds to the beginning of the portion, responsive to the input” and “automatically determining a second point in time in the second perspective, wherein the second point in time comprises an approximation of the first point in time in the program; and presenting the portion of the program from the second perspective to the viewer beginning at the second point in time.” Here again, features are recited which are absent from the art.

In view of the above, claim 1 is patentable over the cited art. Further, Applicant notes that each of independent claims 15, 20, 31, and 45 include limitations similar to those discussed above. Therefore, for similar reasons, each of claim 15, 20, 31, and 45 are believed patentable as well.

In addition to the above, additional features are recited by the dependent claims which are neither disclosed nor suggested by the cited art. For example, claims 6 (and similarly 16, 25, 36 and 47) recites the additional features “periodically storing meta-data corresponding to each of one or more of the received plurality of perspectives of the program, said meta-data comprising at least time and offset information for each of the corresponding one or more plurality of perspectives.” These features are not found in the cited art.

Further, claim 8 (and similarly claims 16, 25, 36 and 47) recites “wherein identifying the first point in time in the first perspective comprises identifying a first offset in a stored file corresponding to the first perspective” which is also absent from the art.

Claim 11 (and similarly claims 18, 27, 41 and 50) recites the additional features “wherein determining the second point in time in the second perspective comprises locating an offset in the second perspective which is near the first offset” which are absent from the art.

Still further, claim 12 (and similarly claims 19, 28, 42 and 52) recites the additional features: “wherein determining the second point in time in the second perspective comprises:

searching stored meta-data to identify two consecutive offsets corresponding to the first perspective, such that the interval represented by the two consecutive offsets includes the first offset;
utilizing a stored time corresponding to each of the two consecutive offsets to determine an approximated point in time;
searching stored meta-data to identify two consecutive times corresponding to the second perspective, such that the interval represented by the two consecutive times includes the approximated point in time;
utilizing a stored offset corresponding to each of the two consecutive times to determine an approximated offset; and
locating an offset in the second perspective which is near the approximated offset.”

These features, supported at least by paragraphs 54-58 of the Description, are also absent from the cited art.

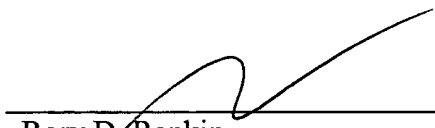
Applicant believes all claims to be in condition for allowance. Should the examiner have any questions or believe there are still reasons withhold allowing the present application to proceed to issuance, the below signed representative would greatly appreciate a telephone call at (512) 853-8866 in order to facilitate a rapid resolution.

CONCLUSION

Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5266-05200/RDR.

Respectfully submitted,



Rory D. Rankin
Reg. No. 47,884
ATTORNEY FOR APPLICANT(S)

Meyertons, Hood, Kivlin,
Kowert, & Goetzel, P.C.
P.O. Box 398
Austin, TX 78767-0398
Phone: (512) 853-8800

Date: August 17, 2005